

## CHAPTER 7. PROCESSING DRAFT ENVIRONMENTAL IMPACT STATEMENTS

71. GENERAL. Environmental impact statements shall be reviewed by affected FAA program divisions and staff officers at the regional level prior to filing for public review. This internal review is to assure that related foreseeable agency actions by other FAA elements are properly covered in the draft statement and are coordinated with the appropriate action office so that commitments which are the responsibility of other divisions or offices will be carried out. For adoption of another agency's environmental impact statement, refer to CEQ sec. 1506.3.

72. PUBLIC NOTICE. Each responsible official shall assure that press releases, official notices, or other appropriate media announce to the public that a DEIS has been prepared and is being circulated and that comments on the environmental impact of the proposed action are being solicited. The announcement shall contain information on the availability of the DEIS and should be distributed to local media concurrent with distribution for notice in Federal Register; with request for immediate publication or other appropriate media coverage.

73. COPIES. The responsible official shall have printed sufficient copies of DEISs to meet anticipated demand. A fee, not to exceed reproduction costs, may be charged for copies requested by the public if the original set of copies is exhausted.

74. CIRCULATION AND AVAILABILITY OF DEIS.

a. Distribution and Coordination for Intergovernmental Review.

(1) Per CEQ sec. 1503.1, comments on the draft environmental impact statement shall be obtained from or requested of appropriate Federal, State, and local agencies.

(2) For instructions on circulation of the summary in lieu of the full environmental impact statement, see CEQ sec. 1502.19.

(3) All draft environmental impact statements will be coordinated with the appropriate regional offices of other Federal agencies having jurisdiction by law or special expertise, except that statements to be coordinated with any component of the Department of the Interior (DOI), Department of Commerce (DOC), or Department of Energy (DOE) shall be sent directly to the Washington headquarters of these departments.

b. Circulate the DEIS to agencies which have "jurisdiction by law or special expertise with respect to any environmental impact involved" or "which are authorized to develop and enforce environmental standards." In addition, provide copies to:

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(1) EPA headquarters (5 copies), EPA region (5 copies), P-1 (2 copies), Office of Environment and Energy (1 copy), Office of Chief Counsel or designee (1 copy), the service director, other elements of DOT, and other FAA services as appropriate; U.S. Department of the Interior headquarters (12 copies; except for projects in North and South Dakota, Nebraska, Kansas, Oklahoma, and Texas, 13 copies; and for Alaska, Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington, and Wyoming 14 copies); Ecology and Conservation Division of the National Oceanographic and Atmospheric Administration (1 copy); only for transportation proposals having major energy-related consequences, DOE (1 copy); and

(2) State and local agencies, including cooperating agencies, agencies that commented substantively on the Intergovernmental Review of Federal Programs, affected cities and counties, and others known to have an interest in the action. The Intergovernmental Review of Federal Programs process may be used, by mutual agreement, for securing review of DEISs by State and local agencies.

c. Availability to the Public. The draft environmental impact statement shall be made available for public review per CEQ sec. 1506.6.

d. Filing with EPA. The draft environmental impact statement shall be filed with EPA per CEQ sec. 1506.9. The EPA will subsequently publish a notice in the Federal Register per CEQ sec. 1506.10 which will begin the 90-day period after which the Federal action can be taken. Five copies of the draft statement shall be sent to: Office of Federal Activities, EIS Filing Section (A-104), U.S. Environmental Protection Agency, 401 M Street, S.W., Washington, D.C. 20460.

#### 75. COMMENTS ON THE DEIS.

a. CEQ sec. 1503 addresses specificity of comments. If the responsible official considers that the comments received from a commenting agency have not been made in accordance with the intent of this section, consultation with that agency should be undertaken to rectify discrepancies.

b. CEQ 1503.3(a) states, "Comments on the environmental impact statement or on the proposed action shall be as specific as possible and address either the adequacy of the statement or the merits of the alternatives discussed or both."

c. Comments from EPA are categorized according to the following criteria:

(1) The impact is rated by EPA as: LO (Lack of Objections), ER (Environmental Reservations), or EU (Environmentally Unsatisfactory).

(2) The statement adequacy is categorized by EPA as: 1 (Adequate), 2 (Insufficient Information), or 3 (Inadequate).

76. COMMENT PERIODS. A time period for comment may not be fewer than 45 days from publication of the notice by EPA per paragraph 74d above. Requests for reasonable extensions of time, when warranted by magnitude and complexity of the statement or the extent of citizen interest, shall be granted.

77.-79. RESERVED.